

REMARKS

The present response amends claim 1 and cancels claims 10-23 in conformity with the following remarks. Claims 1-9 remain pending in the captioned case. Further examination and reconsideration of the presently claimed application are respectfully requested.

Objection to the Title

An objection was lodged against the title as not being descriptive. In response thereto, the title has been amended in a manner believed to obviate this objection.

Section 121 Restriction

In response to the Examiner's restriction requirement under 35 U.S.C. § 121, Applicants elect Group I claims 1-9 and cancel non-elected Groups II-III claims 10-23. Applicants reserve the right to file a divisional application at a later date capturing the subject matter recited in claims 10-23.

Section 102 Rejection

Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,411,261 to Lilly (hereinafter "Lilly"). The standard for "anticipation" is one of fairly strict identity. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art of reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP 2131. Furthermore, anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, as arranged in the claim. *W.L. Gore & Assocs. V. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983). Using these standards, Applicants submit the cited art fails to disclose each and every element of the currently pending claims, some distinctive features of which are set forth in more detail below.

Lilly does not teach or suggest a pair of antennas nor does Lilly teach or suggest a plurality of resonant circuit elements configured to resonate at or near a carrier frequency of a signal transmitted by only one of the pair of antennas. Claim 1 not only recites a pair of antennas coupled to a wireless communication device, but also notes that the shape of the plurality of resonant circuit elements are such that they resonate at or near a carrier frequency of a signal transmitted by only one of the pair of antennas. Support for the amendment to claims 1 can be found in the originally filed specification, for example, Figs. 2 and 6; page 7, lines 17-18; page 8, lines 2-16; page 9, lines 1-10; page 12, lines 1-7; etc.

The Office Action alleges that col. 1, lines 37-40, of Lilly describes a pair of antennas coupled to a wireless communication device. Applicants respectfully disagree. Nowhere in Lilly is there any mention that a pair of antennas are coupled to a wireless communication device. Instead, Lilly only notes that a “high impedance surface may be used in antenna and similar applications,” and further notes that there are several types of antenna applications (Lilly -- col. 1, lines 37-40). Instead of stating a pair of antennas coupled to a wireless communication device, Lilly only describes a surface used in antenna applications, and proceeds by listing different types of antennas usable in those applications. Thus, there is no teaching in Lilly to that which is set forth in present claim 1.

In addition, Lilly makes no mention that the resonant elements (i.e., posts 106, 306, 406, 506, 606, 806, etc.) resonate at the carrier frequency (Lilly -- Figs. 1-8). Instead, Lilly only notes that the artificial magnetic conductor (AMC) structure has a resonant frequency characteristic (Lilly -- col. 1, lines 27-32). Specifically, Lilly describes the resonant frequency as that which “suppresses transverse electric (TE) and transverse magnetic (TM) mode surface waves over one or more frequency bands” (Lilly -- col. 1, lines 33-35). A skilled artisan clearly would know that if the AMC of Lilly is to suppress through a high impedance surface (Lilly -- col. 1, lines 36-37), the suppression of electric and magnetic surface waves requires that the structure of Lilly not resonate at the carrier frequency. Resonance at the carrier frequency would add to, not take away from (as would be the case of a high impedance surface in Lilly), the carrier signal.

Applicants wish to direct the Examiner's attention to page 12, lines 18-25, of the originally filed specification that notes the purpose behind the present claim of the resonant circuit elements resonating at or near a carrier frequency. Specifically, resonating at the carrier frequency forms standing waves of the energy radiated from the first antenna, but instead of absorbing the transmitted energy through a high impedance mechanism of Lilly, the present invention redirects the transmitted signal using standing waves created by the resonant circuit elements that resonate at the carrier frequency of the transmitted signal. *See*, also, page 8, lines 1-21; page 12, lines 1-7; page 30, lines 16-27; and Fig. 10C of the present specification. Thus, creating resonant circuit elements that resonate at or near a carrier frequency performs the opposite of that described in Lilly.

Still further, present claim 1 describes a carrier frequency transmitted by only one of the pair of antennas. Even if, hypothetically, Lilly describes a pair of antennas, nowhere in Lilly is there any mention that only one antenna is transmitting a signal to which the resonant circuit elements resonate at or near that carrier frequency. Claim 1 recites resonating at or near a carrier frequency of a transmitted signal from only one antenna so as to redirect the transmitted signal away from the other of the pair of antennas using, for example, standing waves resonance.

The absence of any description of a pair of antennas, resonating circuit elements at or near a carrier frequency of the transmitted signal, or transmitting from only one of the pair of antennas, Applicants assert that Lilly cannot anticipate present claim 1.

For at least the reasons set forth above, Applicants assert that claims 1 and claims dependent therefrom are not anticipated by the cited art. Accordingly, Applicants respectfully request removal of this rejection.

CONCLUSION

The present amendment and response is believed to be a complete response to the issues raised in the Office Action mailed February 24, 2006. In view of remarks herein, Applicants assert that pending claims 1-9 are in condition for allowance. If the Examiner has any questions, comments or suggestions, the undersigned attorney earnestly requests a telephone conference.

No fees are required for filing this amendment; however, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Daffer McDaniel, LLP Deposit Account No. 50-3268.

Respectfully submitted,
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